




Having reviewed the Magistrate Judge's Report and Recommendation, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. The Court therefore adopts the Report and Recommendation of the United States Magistrate Judge as the findings of this Court.

Accordingly, it is hereby **ORDERED** that the Magistrate Judge's Report (Docket No. 5) be **ADOPTED**. The above-styled civil action is **DISMISSED WITH PREJUDICE** as frivolous until such time as the Plaintiff can show that the conviction which he challenges has been overturned, expunged, or otherwise set aside. All pending motions are **DENIED** as **MOOT**.

So **ORDERED** and **SIGNED** this **3rd** day of **September, 2020**.

  
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JEREMY D. KERNODLE  
UNITED STATES DISTRICT JUDGE